

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF DELAWARE

UNITED STATE OF AMERICA

: Criminal Action No.: 05-105 JJF

vs.

ERNEST WILSON

MOTION FOR CONTINUANCE

Defendant, Ernest Wilson, by and through his counsel, Michael J. Malloy, Esquire hereby moves this Court for a continuance and in support hereof avers the following:

1. That on December 12, 2005 defendant was arrested and charged with the following indictment: Theft of mail by a Postal Employee (3 counts) pursuant to 18 U.S.C. §1709 and Interstate Transportation of Stolen Property pursuant to 18 U.S.C. §2312.
2. That a jury trial was held in this matter was held before the Honorable Joseph J. Farnan, Jr. on July 6, 2006, at the conclusion of which defendant was found guilty of all of the above mentioned charges.
3. That sentencing in this matter has been scheduled by the Court for October 26, 2006.
4. That defense counsel has yet to receive the pre-sentence report and further defense counsel's trial schedule has made it difficult to meet with the defendant and his potential witnesses to adequately prepare for sentencing.
5. That the government has no objection and would join in the request for continuance due to the fact that the Government's counsel is due to be in Colorado on a government related matter on the same time and date.
6. That pursuant to F.R.C.P. 32 (b) (2) that his is good cause to continue the sentencing in this matter.

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DISTRICT OF DELAWARE
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WHEREFORE defendant prays that this Court enter an Order in accordance with F.R.C.P. 32
Granting this continuance to a date not to exceed 60 days from October 26, 2006.

Respectfully submitted,



MICHAEL J. MALLOY, ESQ.

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ORDER

BY THE COURT:

J.